



FACILITY COMPLIANCE INSPECTION REPORT

Division of Waste Management Solid Waste Section

UNIT TYPE:												
Lined MSWLF	X	LCID		YW		Transfer		Compost	X	SLAS		COUNTY: Wilkes PERMIT NO.: 97-04 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods	X	Incineration		T&P	X	FIRM		
CDFL		Tire T&P / Collection	X	Tire Monofill		Industrial Landfill		DEMO		SDTF		

Date of Site Inspection: September 30, 2014

Date of Last Inspection: September 9, 2014

FACILITY NAME AND ADDRESS:

Roaring River Municipal Solid Waste Landfill Facility
 9219 Elkin Highway
 Roaring River, North Carolina 28669

GPS COORDINATES: N: 36.21092 W: 80.98776

FACILITY CONTACT NAME AND PHONE NUMBER:

Name: Kent Brandon, Solid Waste Director
 Telephone: (336) 696-5806 (o) or (336) 927-3339 (m)
 Email address: kbrandon@wilkescounty.net

FACILITY CONTACT ADDRESS:

Post Office Box 389
 Roaring River, North Carolina 28669

PARTICIPANTS:

Kent Brandon, Solid Waste Director
 Charles Gerstell, NCDENR-Solid Waste Section

STATUS OF PERMIT:

A Permit to Operate the Roaring River MSW landfill was issued to Wilkes County on January 20, 2012. This permit approved the continued operation of Phases 1, 2, 3, and 4 of the municipal solid waste landfill, as well as the onsite environmental management and protection facilities as described in the approved plans. This permit shall expire on June 30, 2016.

PURPOSE OF SITE VISIT:

Partial Inspection

STATUS OF PAST NOTED VIOLATIONS:

- 15A North Carolina Administrative Code 13B .1626(1)(a) states:** *"A MSWLF shall only accept those solid wastes which is permitted to receive. The landfill owner or operator shall notify the Division within 24 hours of attempted disposal of any waste the landfill is not permitted to receive, including waste from outside the area the landfill is permitted to serve."*

15A North Carolina Administrative Code 13B. 0203(d) states: *"By receiving solid waste at a permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit."*

FACILITY COMPLIANCE INSPECTION REPORT

Division of Waste Management Solid Waste Section

Page 2 of 5

General Facility Permit Condition #8 states: *This facility is permitted to receive solid waste generated within Wilkes County, consistent with the local government waste management plan and with local government approval and as defined in G.S. 130-2909(a)(35), except where prohibited by N.C. General Statutes Article 9 of Chapter 130A, and the rules adopted by the Commission for Health Services.*

During the inspection performed on September 9, 2014, a load of waste was dumped at the working face that included a sign that read "County of Burke Environmental Offices." The facility is not permitted to receive waste from Burke County. Therefore, Wilkes County was found in violation of 15A NCAC 13B .1626(1)(a), 15A NCAC 13B .02039(d), and General Facility Permit Condition #8.

To achieve compliance, Wilkes County was required to verify the origins of the waste and submit a written response to the Solid Waste Section detailing what actions would be taken to the county to prevent acceptance of waste from outside the approved service area for the facility.

On September 25, 2014, the Solid Waste Section received a written response from Kent Brandon, Wilkes County Solid Waste Director, detailing the origins of the waste in question. Mr. Brandon's letter stated that the sign containing Burke County information was produced and generated by a local Wilkes County business. Mr. Brandon's letter also included an attached letter from SignFactory Direct, Inc. located in Wilkesboro, North Carolina. This letter, signed by Ms. Angie Colburn, Office Manager for SignFactory Direct, Inc. verified that the sign in question originated from their business as Mr. Brandon explained. **Therefore, the Solid Waste Section agrees with Mr. Brandon's assessment that since the waste originated from Wilkes County, there was no violation of 15A NCAC 13B .1626(1)(a), 15A NCAC 13B .0203(d) or General Facility Permit Condition #8.**

2. **15A North Carolina Administrative Code 13B .1626(2)(a) states:** *"Except as provided in Sub-item (b) of this Item, the owner of operators of all MSWLF units must cover disposed waste with six inches of earthen material at the end of each operating day or at more frequent intervals if necessary, to control disease vectors, fires, odors, blowing litter, and scavenging."*

15A North Carolina Administrative Code 13B .0203(d) states: *"By receiving waste at the permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit."*

General Permit Condition #6 states: *"Construction and operation of this solid waste management facility must be accordance with the Solid Waste management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290 et seq.), the conditions contained in this permit, and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition."*

- The approved Operation Plan for the facility is one document that constitutes the approved plan for the facility. **The approved Operations Plan for the facility states under Section 5.4 "Daily Cover":** *"At the end of each day's operation, compacted waste in the subcell shall be covered with either a minimum six inches of soil, or an approved alternative cover material approved by the Solid Waste Section (SWS). When soil is used for daily cover, at least two passes of heavy equipment will be made over the area to provide adequate soil compaction. Waste may be covered more frequently than once per day if necessary to control fires, odors, or blowing litter."*

FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 3 of 5

During the inspection performed on September 9, 2014, insufficient cover was observed over a large portion of the landfill cell leaving waste exposed. Areas of concern included inactive areas west of the working face, south of the working face near the new slope drain installed over the inactive south slope, and slightly north of the previous waste lift. Exposed waste was also observed in eroded gullies north of the working face, near the northern extent of the landfill, and on the western slope of the landfill near an existing slope drain. Therefore, Wilkes County was found in violation of 15A NCAC 13B .1626(2)(a), 15A NCAC 13B .0203(d), and General Permit Condition #6.

To achieve compliance, Wilkes County was required to cover all exposed waste with a minimum of 6-inches of earthen material. Areas which were not to have additional waste placed on them for 12-months or more, but where final termination of disposal operations had not occurred, were to be covered with a minimum of 1-foot of intermediate cover.

Inspection of the facility on September 30, 2014 found all waste within the inactive portions of the landfill covered with earthen material. **Therefore, these violations are considered resolved.**

3. **15A North Carolina Administrative Code 13B .1626(7)(b) states:** *"Adequate sediment control measures (structures or devices), shall be utilized to prevent on-site erosion."*

During the September 9, 2014 inspection, severe eroded gullies were observed north of the working face resulting in waste being exposed. Therefore, Wilkes county was found in violation of 15A NCAC 13B .1626(7)(b).

To achieve compliance, Wilkes County was required to install adequate sediment control measures (structures or devices) to prevent over-wash of slopes creating severe erosion which was leading to exposure of waste. Also, as required under #2 above, all eroded gullies north of the working face were to be covered with appropriate earthen material.

Inspection of the facility on September 30, 2014 found all eroded gullies repaired and covered with earthen material. Earthen berms had been placed at the top of the slopes to prevent over-wash of the slopes. Also, the inactive, eastern portion of the landfill had been seeded with some germination of seed. **Therefore, this violation is considered resolved.**

OBSERVED VIOLATIONS

No new violations observed.

The item(s) listed above were observed by Section staff and require action on behalf of the facility in order to come into or maintain compliance with the Statutes, Rules, and/or other regulatory requirements applicable to this facility. Be advised that pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or Order under Article 9 of Chapter 130A of the N.C. General Statutes. Further, the facility and/or all responsible parties may also be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

ADDITIONAL COMMENTS

1. This was a partial inspection to evaluate the efforts taken to comply with the Notice of Violation issued to Wilkes County on September 15, 2014. Please refer to Status of Past Noted Violations for comments.

FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 4 of 5

Operations Inspection of the MSWLF Unit:

2. The working face was small and compact at the time of inspection.
3. During the previous inspection, a severe amount of apparent windblown waste was observed accumulated against the chain length fence on the east side of the landfill adjacent to the access road across from the pallet disposal area. It appeared that the waste had been piled against the fence for quite some time as the top of the waste was covered with deposited soil. It was requested that all waste in this area be removed and returned to the working face.
 - Inspection of the facility on September 30, 2014 found that all windblown waste in the aforementioned area had been removed as previously requested.
4. During the previous inspection, two eroded rills were observed above the aforementioned area exposing a small amount of waste. It was requested that all eroded areas be repaired.
 - Inspection of the facility on September 30, 2014 found the gullies repaired as requested.
5. The use of fabric tarps as alternative daily cover is approved for this facility. Tarps were not being used to cover waste at the time of inspection.
6. No ponding was observed in the landfill as observed during the previous inspection.
7. Edge of liner markers were in place. During the previous inspection, it was observed that a marker on the south side of the landfill adjacent to the slope drain had been partially knocked over and was in need of repair. It also appeared that an additional marker was needed between the aforementioned marker and the southeast corner of the landfill to provide a clear line of site between markers.
 - Inspection of the facility on September 30, 2014 found that the damaged marker on the south side of the landfill had been repaired and an additional marker had been installed as requested.
8. Windblown waste was well controlled. Facility staff was picking up windblown waste at the time of inspection.
9. Access roads were of all-weather construction and well maintained.

Supporting Comments:

10. The facility provides a convenience area west of the scalehouse with multiple roll-containers to allow the general public to dispose of municipal solid waste without having to enter the landfill. During the previous inspection, waste was observed on the ground surrounding the roll-off containers including a heavy buildup of small particulate waste and residue.
 - Inspection of the facility on September 30, 2014 found a significant improvement in the prevention of waste buildup around the roll-off containers in this area.
11. During the previous inspection, a heavy oil stain was observed on the asphalt in front of the designated disposal area for used oil and antifreeze. A storm drain is located approximately 20-feet from the oil collection area.
 - This condition was referred to Carin Kromm, Supervisor, UST Section at the Winston-Salem Regional Office.
 - Inspection of the facility on September 30, 2014 found that asphalt sealer had been applied to the asphalt in front of the oil collection area. Wilkes County is currently working with the UST Section to address all concerns that Section may have.

FACILITY COMPLIANCE INSPECTION REPORT
Division of Waste Management
Solid Waste Section

Page 5 of 5

Please contact me if you have any questions or concerns regarding this inspection report.



Charles T. Gerstell
Environmental Senior Specialist
Regional Representative

Phone: (704) 235-2144

Sent on: <u>10/2/14</u>	<input checked="" type="checkbox"/>	Email		Hand delivery		US Mail		Certified No. <input type="checkbox"/>
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Copies: Jason Watkins, Branch Head
Sarah M. Rice, Compliance Officer